

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: NATIONAL FOOTBALL
LEAGUE PLAYERS' CONCUSSION
INJURY LITIGATION

No. 2:12-md-02323-AB

MDL No. 2323

Kevin Turner and Shawn Wooden,
*on behalf of themselves and
others similarly situated,*

Plaintiffs,

v.

National Football League and
NFL Properties, LLC,
successor-in-interest to
NFL Properties, Inc.,

Defendants.

Civ. Action No.: 14-cv-00029-AB

THIS DOCUMENT RELATES TO:
ALL ACTIONS

STIPULATION AND [PROPOSED] ORDER¹

This Stipulation and Agreement, dated August [3rd], 2017, is made and entered into by and among the National Football League and NFL Properties LLC (the "NFL Parties"), and Class Counsel (collectively, the "Parties").

WHEREAS, on April 22, 2015, this Court issued a Memorandum (ECF No. 6509) and Final Order and Judgment (ECF No. 6510), and on May 8, 2015, an amended Final Order and Judgment (ECF No. 6534), approving the Settlement Agreement in its entirety;

¹ Unless otherwise noted, the terms used in this Order that are defined in the Settlement Agreement have the same meanings in this Order as in the Settlement Agreement.

WHEREAS, on May 4, 2015, Claims Administrator BrownGreer PLC, in accordance with the Final Order and Judgment and the Settlement Agreement, filed the list of Opt Outs who timely submitted proper requests to opt out in compliance with Section 14.2(a) of the Settlement Agreement, including Retired NFL Football Players Elvin Bethea and Gregory Larson (ECF No. 6533);

WHEREAS, Elvin Bethea and Gregory Larson have since submitted written requests seeking to revoke their Opt Out requests (*see* Exhibit 1 (Declaration of Orran L. Brown, Sr.));

WHEREAS, the Parties have agreed to accept the revocation requests submitted by Elvin Bethea and Gregory Larson, subject to Court approval, because they submitted the requests before the deadline to register for the Class Action Settlement program;

AND NOW, this [3d] day of August, 2017, it is hereby stipulated and agreed by the Parties that the revocation requests submitted by Elvin Bethea and Gregory Larson are accepted, subject to Court approval, because they submitted the requests before the deadline to register for the Class Action Settlement program.

It is so STIPULATED AND AGREED,

By: 

Date: August 3, 2017

Christopher Seeger
SEGER WEISS LLP
77 Water Street
New York, NY 10005
Phone: (212) 584-0700
cseeger@seegerweiss.com

Class Counsel

By: Brad S. Karp (DB)

Date: August 3, 2017

Brad S. Karp
PAUL, WEISS, RIFKIND, WHARTON
& GARRISON LLP
1285 Avenue of the Americas
New York, NY 10019-6064
Phone: (212) 373-3000
bkarp@paulweiss.com

Counsel for the NFL Parties

It is so **ORDERED**, based on the above Stipulation and the accompanying Declaration of Orran L. Brown, Sr., that the revocation requests submitted by Elvin Bethea and Gregory Larson are approved and the Claims Administrator is **DIRECTED** to post a revised list of Opt Outs forthwith excluding Elvin Bethea and Gregory Larson.

*for Paul S. Diamond 8/4/17
ANITA B. BRODY, J. Paul S. Diamond as
Emergency Judge*

Copies VIA ECF on _____ to:

Copies MAILED on _____ to:

EXHIBIT 1

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: NATIONAL FOOTBALL LEAGUE : No. 2:12-md-02323-AB
PLAYERS' CONCUSSION INJURY :
LITIGATION : MDL No. 2323

THIS DOCUMENT RELATES TO: :

ALL ACTIONS :
Hon. Anita B. Brody

DECLARATION OF ORRAN L. BROWN, SR.

I, ORRAN L. BROWN, SR., hereby declare and state as follows:

1. My name is Orran L. Brown, Sr. I am the Chairman and a founding partner of BrownGreer PLC, located at 250 Rocketts Way, Richmond, Virginia 23231. BrownGreer PLC is the Claims Administrator under the Class Action Settlement Agreement in this action.
2. I am over the age of 21. The matters set forth in this Declaration are based upon my personal knowledge and information.
3. I submit this Declaration to describe two Opt Out revocation requests we recently received.
4. In its April 22, 2015 Final Approval Order and Judgment, the Court directed the Claims Administrator to make public a list of Opt Outs as of that date. We posted on the official Settlement website a list of the Opt Outs that were timely and included all the elements required for a valid Opt Out under Section 14.2(a) of the Settlement Agreement (175 names at the time) and a list of the Opt Outs that were untimely and/or were missing one or more of Section 14.2(a)'s required elements (33 names at the time).
5. Section 14.2(c) of the Settlement Agreement provides that a Class Member who had Opted Out but wished to revoke that Opt Out could submit a written request to do

so “[p]rior to the Final Approval Date.” At various times after the April 22, 2015 Final Approval Date, 69 people who had Opted Out submitted requests to revoke their Opt Outs. The Parties to the Settlement Agreement agreed to accept those revocation requests, subject to Court approval, and reported the requests to the Court. By Orders of July 15, 2015 (Document 6642), December 22, 2015 (Document 6713), January 26, 2016 (Document 6739), September 15, 2016 (Document 6907), October 25, 2016 (Document 6924), November 8, 2016 (Document 6937), December 21, 2016 (Document 7033), January 18, 2017 (Document 7084), January 20, 2017 (Document 7097), February 6, 2017 (Document 7119), March 9, 2017 (Document 7264), March 20, 2017 (Document 7297), March 28, 2017 (Document 7374), April 11, 2017 (Document 7471), April 13, 2017 (Document 7478), April 24, 2017 (Document 7547), May 2, 2017 (Document 7594), May 18, 2017 (Document 7674), May 25, 2017 (Documents 7763 and 7764), June 26, 2017 (Document 7848), July 17, 2017 (Document 8023), July 18, 2017 (Document 8033), July 19, 2017 (Document 8038), July 25, 2017 (Document 8076), July 27, 2017 (Document 8159), July 28, 2017 (Document 8191), August 1, 2017 (Document 8199), and August 3, 2017 (Document 8208), the Court approved all the revocations. As a result, we no longer counted those persons as Opt Outs and posted on the Settlement website a revised list of Timely Opt Out Requests Containing All Information Required by Section 14.2(a) or Otherwise Approved by the Court (the “Timely Opt Out List”) to reflect the results of the Orders. That Timely Opt Out List now contains 112 names, including six persons whose Opt Outs the Court directed be added to that list in its Orders of September 8, 2016 (Document 6902) and March 6, 2017 (Document 7244).

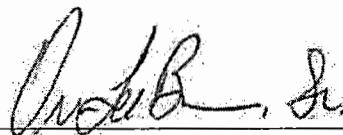
6. We recently received new revocation requests from two persons on the Timely Opt Out List:

(a) Elvin Bethea: Attachment 1 to this Declaration.

(b) Gregory Larson: Attachment 2.

We removed personal information from these attachments. The Parties to the Settlement Agreement agreed to accept both revocation requests, subject to Court approval. If the Court grants its approval, we no longer will count Mr. Bethea and Mr. Larson as Opt Outs and, upon direction of the Court, we will post a revised Timely Opt Out List on the Settlement website.

I, Orran L. Brown, Sr., declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct. Executed on this 3rd day of August, 2017.



Orran L. Brown, Sr.

NFL CONCUSSION SETTLEMENT

IN RE: NATIONAL FOOTBALL LEAGUE PLAYERS' CONCUSSION INJURY LITIGATION
No. 2:12-md-02323 (E.D. Pa.)

REQUEST TO REVOKE OPT OUT FROM SETTLEMENT CLASS

A person who Opted Out of the NFL Concussion Settlement may request to revoke that Opt Out by completing this form and sending it to the Claims Administrator. The Claims Administrator will present the request to the Parties to the Settlement Agreement for their consideration. If Co-Lead Class Counsel and the NFL Parties both consent, they will submit it to the Court for approval. Complete all sections of this form. If your revocation is approved, you cannot later Opt Out again.

I. PERSON SEEKING TO REVOKE OPT OUT

Name	Mr. ELVIN	M.	Ms. BETHEA
Mailing Address	Address 1 Address 2 City _____ State _____ Zip _____		
Telephone Number			
Date of Birth	(Month/Day/Year)		
Settlement Class Member Type	<input checked="" type="checkbox"/> I am a Retired NFL Football Player. <input type="checkbox"/> I am a Representative Claimant. I have a legal right to act on behalf of a Retired NFL Football Player. <input type="checkbox"/> I am a Non-Representative Claimant. I have certain legal rights because of my relationship to the Settlement Class.		

II. STATEMENT OF INTENT AND SIGNATURE

I wish to revoke my Opt Out from the Settlement Class and instead be included in the Settlement Class.

Signature	<i>Elvin & Bethea</i>	Date	10/18/2012 (Month/Day/Year)
-----------	---------------------------	------	-----------------------------

III. HOW TO SUBMIT THIS FORM

By Email:	www.NFLConcussionSettlement.com
By Mail:	NFL Concussion Settlement Claims Administrator P.O. Box 25369 Richmond, VA 23260
By Online Portal:	Go to your secure online portal with the Claims Administrator and upload this signed PDF.

www.NFLConcussionSettlement.com

ATTACHMENT 1

Case 2:12-md-02323-AB Document 8218 Filed 08/04/17 Page 9 of 10

NFL CONCUSSION SETTLEMENT
IN RE: NATIONAL FOOTBALL LEAGUE PLAYERS' CONCUSSION INJURY LITIGATION
No. 2:12-md-02323 (E.D. Pa.).

REQUEST TO REVOKE OPT OUT FROM SETTLEMENT CLASS

A person who Opted Out of the NFL Concussion Settlement may request to revoke that Opt Out by completing this form and sending it to the Claims Administrator. The Claims Administrator will present the request to the Parties to the Settlement Agreement for their consideration. If Co-Lead Class Counsel and the NFL Parties both consent, they will submit it to the Court for approval. Complete all sections of this form. If your revocation is approved, you cannot later Opt Out again.

I. PERSON SEEKING TO REVOKE OPT OUT

Name	First <i>GREGORY</i>	Middle <i>K</i>	Last <i>LARSON</i>
Mailing Address	Address 1 Address 2		
Telephone Number			
Date of Birth	(Month/Day/Year)		
Settlement Class Member Type	<input checked="" type="checkbox"/> I am a Retired NFL Football Player. <input type="checkbox"/> I am a Representative Claimant. I have a legal right to act on behalf of a Retired NFL Football Player. <input type="checkbox"/> I am a Derivative Claimant. I have certain legal rights because of my relationship with a Retired NFL Football Player.		

II. STATEMENT OF INTENT AND SIGNATURE

I wish to revoke my Opt Out from the Settlement Class and instead be included in the Settlement Class.

Signature	<i>Gregory K Larson</i>	Date	<i>10/8/14 01/21/2011 71</i> (Month/Day/Year)
-----------	-------------------------	------	--

III. HOW TO SUBMIT THIS FORM

By Email:	ClaimsAdministrator@NFLConcussionSettlement.com
By Mail:	NFL Concussion Settlement Claims Administrator P.O. Box 25369 Richmond, VA 23260
By Online Portal:	Go to your secure online portal with the Claims Administrator and upload this signed PDF.

www.NFLConcussionSettlement.com

ATTACHMENT 2

CERTIFICATE OF SERVICE

It is hereby certified that a true copy of the foregoing document was served electronically via the Court's electronic filing system on the 3rd day of August, 2017, upon all counsel of record.

Dated: August 3, 2017

/s/ Brad S. Karp

Brad S. Karp